1-14-08 JFW

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1) Return receipt post card.
2) Certificate of Express Mail.
3) Reply cover sheet-one page.
4) Copy of 1/08/08 office action.
5) Copy of corrected claims 4-30, marked up copy-7 pages.
6) Copy of corrected claims 4-30, clean copy-7 pages.

GROUP ART UNIT: 3761.

EXAMINER: Michael G. Bogart

IN RE: United States Patent Application Serial No. 10/730,297

APPLICANTS: Medindica-Pak, Inc/Jack W. Romano

TITLED: Method and Apparatus For Converting Supplies and Reducing Waste

FILED: 12/08/2003

I, Jack W. Romano do hereby certify that the foregoing documents are being deposited with the United States Postal Service as Express Mail, postage paid, in an envelope addressed to Commissioner for Patents, USPTO, Box 1450, Alexandria, VA 22313-1450.

Jack W Romano
Name
Jack W Romano
Signature
EB 893099157 US
Express Mail Label Number
01/11/08
Date of Deposit

State of WA)
) SS.
County of King)

On this day personally appeared before me JACK ROMANO known to be the individual described in and who executed the written and foregoing instrument, and acknowledged that (they, he, she) signed the same as either (their, his, her) free will and voluntarily act and deed, for the purposes therein mentioned.

Given under my hand and official seal this 11 Day of JAN 2008.

Signature
ANDRE BRANCH
Printed Name
Notary Public in the State of Washington
Residing at: US BANK Washington
My commission expires: July 19, 2011

Notary Public
State of Washington
ANDRE D. BRANCH
MY COMMISSION EXPIRES
July 19, 2011

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:	**Romano, Jack W. et.al.**
Serial No.:	**10/730,297**
Filed:	**12/08/2003**
Group Art Unit:	**3761**
Title:	**Method and Apparatus For Converting Supplies and Reducing Waste**
Examiner:	**Michael G. Bogart**

Commissioner For Patents
Alexandria, VA 22313-1450

Honorable Commissioner:

In reply to the Office Action dated 01/08/2008 titled "Response to Rule 312 Communication" regarding the above referenced patent application, please enter into the formal record the following:

Marked up copy of claims 4-30 resubmitted herewith having claim status identifiers for claims 8-30.

Clean copy of claims 4-30 resubmitted herewith having claims status identifiers for claims 8-30.

Applicant believes the aforementioned two sets of claims are now in compliance with 37 CFR 1.121(c) and are responsive to the 01/08/08 Office Action.

Respectfully submitted,

MedIndica-Pak, Inc./Applicant

Jack W. Romano

Jack W. Romano/Inventor

01/11/2008
Dated

Chairman & Secretary

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,297	12/08/2003	Jack W. Romano		2174

36220 7590 01/08/2008
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EXAMINER	
BOGART, MICHAEL G	

ART UNIT	PAPER NUMBER
3761	

MAIL DATE	DELIVERY MODE
01/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/730,297	ROMANO ET AL.	
	Examiner	Art Unit	
	Michael G. Bogart	3761	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

1. ☒ The amendment filed on *30 November 2007* under 37 CFR 1.312 has been considered, and has been:

   a) ☐ entered.

   b) ☐ entered as directed to matters of form not affecting the scope of the invention.

   c) ☐ disapproved because the amendment was filed after the payment of the issue fee.
   Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

   d) ☒ disapproved. See explanation below.

   e) ☐ entered in part. See explanation below.

See Continuation Sheet

TATYANA ZALUKAEVA
SUPERVISORY PRIMARY EXAMINER

Continuation of 1 (d) Disapproved. See explanation:

The amendment to the claims filed on 30 November 2007 does not comply with the requirements of 37 CFR 1.121(c) because both the clean copy of the claims and the marked up copy of the claims are in improper form. Claims 8-30 lack status identifiers in both the clean copy of the claims and the marked-up copy. Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121(c) which states:

(c) Claims. Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).

(1) Claim listing. All of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of "canceled" or "not entered" may be aggregated into one statement (e.g., Claims 1-5 (canceled)). The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment.

(2) When claim text with markings is required. All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of "currently amended," and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of "currently amended," or "withdrawn" if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as "withdrawn-currently amended."

(3) When claim text in clean version is required. The text of all pending claims not being currently amended shall be presented in the claim listing in clean version, i.e., without any markings in the presentation of text. The presentation of a clean version of any claim having the status of "original," "withdrawn" or "previously presented" will constitute an assertion that it has not been changed relative to the immediate prior version, except to omit markings that may have been present in the immediate prior version of the claims of the status of "withdrawn" or "previously presented." Any claim added by amendment must be indicated with the status of "new" and presented in clean version, i.e., without any underlining.

(4) When claim text shall not be presented; canceling a claim.

(i) No claim text shall be presented for any claim in the claim listing with the status of "canceled" or "not entered."

(ii) Cancellation of a claim shall be effected by an instruction to cancel a particular claim number. Identifying the status of a claim in the claim listing as "canceled" will constitute an instruction to cancel the claim.

(5) Reinstatement of previously canceled claim. A claim which was previously canceled may be reinstated only by adding the claim as a "new" claim with a new claim number.

Since the reply filed on 30 November 2007 appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

What is claimed is;

1) (Canceled).

2) (Canceled).

3) (Canceled).

4) (Currently amended) A supply chain method comprising,

a) providing an aseptic/sterile fluid enclosing container manufactured having its structure characterized by an axial centerline extending through the center of the top to the center of the base of said container defining a datum reference for structuring a supply chain apparatus in order to seal a vacuum draw path said container having a predetermined volumetric capacity and weight for transferring an aseptic/sterile fluid a top defining a pour spout opening having a perimeter a threaded neck extending downwardly away from said top and forming into an outwardly extending sealing surface a throat/aperture space defining an egress/ingress opening confined within said container neck a container cap/closure having threads which correspond to said threads of said container neck a body extending downwardly and outwardly from said sealing surface to said base and forming substantially said volumetric container capacity to hold said predetermined volume of said aseptic/sterile fluid an upwardly facing flange seal interposed between said container threads and said container body being defined with a sealing surface and a container height being defined in aggregate a combination of distances along said axial centerline from said top to said thread said thread to said seal said seal to said body and said body to said base,

b) distributing said aseptic/sterile fluid in said container,

c) uncapping said container and egressing aseptic/sterile fluid,

d) threadably connecting said container to the lid of a canister system for consumption against generating garbage/waste in conjunction with collecting fluent waste material under a remotely emanating vacuum draw force,

e) drawing fluent waste material into said container,

f) disconnecting said container from said canister lid,

g) recapping said container with said container cap,

h) removing said fluent waste material in said container.

5) (Currently amended) A supply chain method comprising,

a) providing an aseptic/sterile liquid said liquid sealed in a container at manufacturing said manufacturing being adapted to provide a predetermined sterility assurance level said container being adapted to be filled and sealed for enclosing said liquid in said container said container having a neck portion said neck portion to include an outwardly extending surface said surface being adapted to provide a seal connection said container being adapted to provide said liquid for consumption said seal being adapted to be unsealed to allow egress of said liquid from said container by pouring,

b) establishing a supplies conversion said container being adapted to be disassociated from said consumption said container being adapted to be converted to provide a sealed vacuum draw path said draw path being adapted to seal vacuum forces between a vacuum and an open end sealed path said forces being adapted to be drawn into and out of a neck portion of said container said container interposed between said vacuum and said open end said path being adapted to exchange draw forces through said neck portion said container being adapted to receive fluent waste material said material drawn by said forces said forces being adapted to be contained along said path said path to include integration with a waste collection system said container being adapted to be connected with said system said system to include said forces said system to include said path said

system to include at least a container portion said portion being adapted to be disposed within said path.

c) unsealing said path by disconnecting said container from said draw path said container being adapted to be resealed for containment and disposal and transfer of fluent waste material said container being adapted to be recycled.

6) (Currently amended) A method of claim 5 further comprising,

a) manufacturing an aseptic/sterile liquid and providing said liquid in a container having a predetermined sterility assurance level,

b) consuming said liquid ,

c) consuming said container by integration with a waste collection system against discarding said container into the garbage said container consumption providing said supplies container conversion for said container to be adapted to collect fluent waste material,

c) providing further consumption of said container by removing and transferring fluent waste material in said container,

d) emptying said container of said fluent waste material by consumption of said container for disposing of said waste material.

7) (Currently Amended) A supply chain method comprising,

a) providing a waste collection and disposal container said container manufactured having an aseptic/sterile liquid therein hermetically sealed to a predetermined sterility assurance level said container having a neck said neck being adapted to include an outwardly extending surface said neck being adapted to provide a seal connection said container being adapted to be unsealed for

consumption egress said aseptic/sterile liquid intended for egressing use related with said consumption,

b) establishing a supplies waste container conversion said container being adapted to be disassociated from said consumption said container conversion provided in preparation for fluent waste material ingress utility said container being adapted to seal a vacuum draw path said draw path being adapted to seal vacuum draw forces said forces being adapted to be drawn between a vacuum and an open draw path inlet said container being interposed between said inlet and said vacuum said forces being adapted to be drawn away from and toward said container said seal being adapted to provide said path to direct said forces and said waste materials from said inlet toward said vacuum said seal being adapted to draw said vacuum forces and said material toward said container said vacuum being adapted to provide material ingress into said waste collection container said draw forces being adapted to be provided by said vacuum along said path said forces being adapted to be contained along said path said path to include integration with a waste collection system said container being adapted to be connected with said system said system to include said forces said system to include said path said system to include at least a container portion said portion being adapted to be disposed within said path.

c) resealing said waste container for containment of said waste material said container being adapted to be removed and transferred for disposal of said waste material said container being adapted to be separated from said waste material said container being adapted for recycling.

8) (Previously Presented) A supply chain method of claim 7 comprising,

a) applying said waste container conversion after consumption of said liquid by integration of said container into a waste collection system.

9) (Previously Presented) A supply chain method of claim 7 further comprising,

a) providing said aseptic/sterile liquid in a supply chain container,

b) providing said container conversion from a supply container to a collection and disposal container,

c) providing said container for waste collection and transport in a disposal chain.

10) (Previously Presented) A supply chain method of claim 9 further comprising,

a) said converting said container from a supply container to a disposal container in a supply and disposal chain,

b) providing said container conversion.

11) (Previously Presented) A supply chain method of claim 10 further comprising,

a) providing conversion consumption of a fluent material transfer container from the clean supply side of a supply and disposal chain to the dirty disposal side of said supply and disposal chain.

12) (Previously Presented) A supply chain method of claim 11 further comprising,

a) utilizing delivery containers for the delivery of an aseptic/sterile material and for the collection of fluent waste material against separately producing collection containers thereby reducing the amount of separate collection container trash contributed into the waste stream as garbage and deferring the disposal of delivery containers into the trash by further fluent waste material collection utility with respect to said delivery containers defining container conversion methods reducing the procurement of said separately produced collection containers thereby reducing associated waste and reducing associated collection container supply chain costs providing said supply chain efficient container conversion method instead of collecting fluent waste materials in said separately produced collection containers.

13) (Previously Presented) A supply chain method of claim 12 further comprising,

a) extending the useful life of delivery containers.

14) (Previously Presented) A supply chain method of claim 13 further comprising,

a) reducing fluent waste material collection container waste and associated supply chain costs by extending the useful life of delivery containers from distribution utility to disposal utility.

15) (Previously Presented) A supply chain method of claim 14 further comprising,

a) manufacturing said delivery container(s) from biodegradable blow moldable materials.

16) (Previously Presented) A supply chain method of claim 15 further comprising,

a) manufacturing said delivery container(s) from recyclable blow moldable materials.

17) (Previously Presented) An apparatus in accordance with the supply chain method of claim 4 comprising,

a) means for sealing a vacuum draw path.

18) (Previously Presented) An apparatus of claim 17 further comprising,

a) means for unsealing said vacuum draw path.

19) (Previously Presented) An apparatus in accordance with the supply chain method of claim 6 comprising,

a) means for sealing said vacuum draw path.

20) (Previously Presented) An apparatus of claim 19 further comprising,

a) means for unsealing said vacuum draw path.

21) (Previously Presented) An apparatus in accordance with the supply chain method of claim 11 comprising,

a) means for sealing a vacuum draw path.

22) (Previously Presented) An apparatus of claim 21 further comprising,

b) means for unsealing a vacuum draw path.

23) (Previously Presented) An apparatus in accordance with the supply chain method of claim 5 comprising,

a) means for sealing a vacuum draw path,

24) (Previously Presented) An apparatus in accordance with the supply chain method of claim 23 comprising,

a) means for unsealing a vacuum draw path.

25) (Previously Presented) A supply chain method of claim 6 wherein said container is provided blow mold manufactured for said supply chain container conversion.

26) (Previously Presented) A supply chain method of claim 6 wherein said container is provided blow fill seal manufactured for said supply chain container conversion.

27) (Previously Presented) A supply chain method of claim 14 wherein said container is provided blow mold manufactured for said supply chain container conversion.

28) (Previously Presented) A supply chain method of claim 14 wherein said container is provided blow fill seal manufactured for said supply chain container conversion.

29) (Previously Presented) A supply chain method of claim 18 wherein said container is provided blow mold manufactured for said supply chain container conversion.

30) (Previously Presented) A supply chain method of claim 18 wherein said container is provided blow fill seal manufactured for said supply chain container conversion.

What is claimed is;

1) (Canceled).

2) (Canceled).

3) (Canceled).

4) (Currently amended) A supply chain method comprising,

a) providing an aseptic/sterile fluid enclosing container manufactured having its structure characterized by~~,~~ an axial centerline extending through the center of the top to the center of the base of said container defining a datum reference for structuring a supply chain apparatus in order to seal a vacuum draw path~~,~~ said container having a predetermined volumetric capacity and weight for transferring an aseptic/sterile fluid~~,~~ a top defining a pour spout opening having a perimeter~~,~~ a threaded neck extending downwardly away from said top and forming into an outwardly extending sealing surface~~,~~ a throat/aperture space defining an egress/ingress opening confined within said container neck~~,~~ a container cap/closure having threads which correspond to said threads of said container neck~~,~~ a body extending downwardly and outwardly from said sealing surface to said base and forming substantially said volumetric container capacity to hold said predetermined volume of said aseptic/sterile fluid~~,~~ an upwardly facing flange seal interposed between said container threads and said container body being defined with a sealing surface~~,~~ and a container height being defined in aggregate a combination of distances along said axial centerline from said top to said thread~~,~~ said thread to said seal~~,~~ said seal to said body and said body to said base,

b) distributing said aseptic/sterile fluid in said container,

c) uncapping said container and egressing aseptic/sterile fluid,

d) threadably connecting said container to the lid of a canister system for consumption against generating garbage/waste in conjunction with collecting fluent waste material under a remotely emanating vacuum draw force,

e) drawing fluent waste material into said container,

f) disconnecting said container from said canister lid,

g) recapping said container with said container cap,

h) removing said fluent waste material in said container.

5) (Currently amended) A supply chain method comprising,

a) providing an aseptic/sterile liquid said liquid sealed in a container at manufacturing said manufacturing being adapted to provide a predetermined sterility assurance level said container being adapted to be filled and sealed for enclosing said liquid in said container said containering having a neck portion, said neck portion to include an outwardly extending surface, said surface being adapted to provide a sealed connection said container being adapted to provide said liquid for consumption said seal being adapted to be unsealed to allow egress of said liquid from said container by pouring,

b) establishing a supplies conversion said container being adapted to be disassociated from said consumption said container being adapted to be converted to provide a sealed vacuum draw path said draw path being adapted to seal vacuum forces between a vacuum and an open end sealed path said forces being adapted to be drawn into and out of a neck portion of said container said container interposed between said vacuum and said open end said path being adapted to exchange draw forces through said neck portion said container being adapted to receive fluent waste material said material drawn by said forces said forces being adapted to be contained along said path, said path to include integration with a waste collection system, said container being adapted to be connected with said system, said system to include said forces, said system to include said path, said

system to include at least a container portion~~,~~ said portion being adapted to be disposed within said path.

c) unsealing said path by disconnecting said container from said draw path said container being adapted to be resealed for containment and disposal and transfer of fluent waste material said container being adapted to be recycled.

~~a)~~

~~b)~~

~~c)~~

~~d)~~

6) (Currently amended) A method of claim 5 further comprising,

a) manufacturing an aseptic/sterile liquid and providing said liquid in a container having a predetermined sterility assurance level,

b) consuming said liquid ,

c) consuming said container by integration with a waste collection system against discarding said container into the garbage said container consumption providing said supplies container conversion for said container to be adapted to collect ~~of~~ fluent waste material,

c) providing further consumption of said container by removing and transferring fluent waste material in said container,

d) emptying said container of said fluent waste material by consumption of said container for disposing of said waste material.

7) (Currently Amended) A supply chain method comprising,

a) providing a waste collection and disposal container said container manufactured having an aseptic/sterile liquid therein hermetically sealed to a predetermined sterility assurance level said container having a neck~~,~~ said neck being adapted to include an outwardly extending surface~~,~~ said neck being adapted to provide a seal connection~~,~~ said container being adapted to be unsealed for

consumption egress said aseptic/sterile liquid intended for egressing use related with said consumption,

b) establishing a supplies waste container conversion said container being adapted to be disassociated from said consumption said container conversion provided in preparation for fluent waste material ingress utility said container being adapted to seal a vacuum draw path said draw path being adapted to seal vacuum draw forces said forces being adapted to be drawn between a vacuum and an open draw path inlet said container being interposed between said inlet and said vacuum said forces being adapted to be drawn away fromform and toward said container said seal being adapted to provide said path to direct said forces and said waste materials from said inlet toward said vacuum said seal being adapted to draw said vacuum forces and said material toward said container said vacuum being adapted to provide material ingress into said waste collection container said draw forces being adapted to be provided by said vacuum along said path, said forces being adapted to be contained; along said path said path to include integration with a waste collection system said container being adapted to be connected with said system said system to include said forces said system to include said path said system to include at least a container portion said portion being adapted to be disposed within said path.

c) resealing said waste container for containment of said waste material said container being adapted to be removed and transferred for disposal of said waste material said container being adapted to be separated from said waste material said container being adapted for recycling.

8) (Previously Presented) A supply chain method of claim 7 comprising,

a) applying said waste container conversion after consumption of said liquid by integration of said container into a waste collection system.

9) (Previously Presented) A supply chain method of claim 7 further comprising,

a) providing said aseptic/sterile liquid in a supply chain container,

b) providing said container conversion from a supply container to a collection and disposal container,

c) providing said container for waste collection and transport in a disposal chain.

10) (Previously Presented) A supply chain method of claim 9 further comprising,

a) said converting said container from a supply container to a disposal container in a supply and disposal chain,

b) providing said container conversion.

11) (Previously Presented) A supply chain method of claim 10 further comprising,

a) providing conversion consumption of a fluent material transfer container from the clean supply side of a supply and disposal chain to the dirty disposal side of said supply and disposal chain.

12) (Previously Presented) A supply chain method of claim 11 further comprising,

a) utilizing delivery containers for the delivery of an aseptic/sterile material and for the collection of fluent waste material against separately producing collection containers thereby reducing the amount of separate collection container trash contributed into the waste stream as garbage and deferring the disposal of delivery containers into the trash by further fluent waste material collection utility with respect to said delivery containers defining container conversion methods reducing the procurement of said separately produced collection containers thereby reducing associated waste and reducing associated collection container supply chain costs providing said supply chain efficient container conversion method instead of collecting fluent waste materials in said separately produced collection containers.

13) (Previously Presented) A supply chain method of claim 12 further comprising,

a) extending the useful life of delivery containers.

14) (Previously Presented) A supply chain method of claim 13 further comprising,

a) reducing fluent waste material collection container waste and associated supply chain costs by extending the useful life of delivery containers from distribution utility to disposal utility.

15) (Previously Presented) A supply chain method of claim 14 further comprising,

a) manufacturing said delivery container(s) from biodegradable blow moldable materials.

16) (Previously Presented) A supply chain method of claim 15 further comprising,

a) manufacturing said delivery container(s) from recyclable blow moldable materials.

17) (Previously Presented) An apparatus in accordance with the supply chain method of claim 4 comprising,

a) means for sealing a vacuum draw path.

18) (Previously Presented) An apparatus of claim 17 further comprising,

a) means for unsealing said vacuum draw path.

19) (Previously Presented) An apparatus in accordance with the supply chain method of claim 6 comprising,

a) means for sealing said vacuum draw path.

20) (Previously Presented) An apparatus of claim 19 further comprising,

a) means for unsealing said vacuum draw path.

21) (Previously Presented) An apparatus in accordance with the supply chain method of claim 11 comprising,

a) means for sealing a vacuum draw path.

22) (Previously Presented) An apparatus of claim 21 further comprising,

b) means for unsealing a vacuum draw path.

23) (Previously Presented) An apparatus in accordance with the supply chain method of claim 5 comprising,

a) means for sealing a vacuum draw path,

24) (Previously Presented) An apparatus in accordance with the supply chain method of claim 23 comprising,

a) means for unsealing a vacuum draw path.

25) (Previously Presented) A supply chain method of claim 6 wherein said container is provided blow mold manufactured for said supply chain container conversion.

26) (Previously Presented) A supply chain method of claim 6 wherein said container is provided blow fill seal manufactured for said supply chain container conversion.

27) (Previously Presented) A supply chain method of claim 14 wherein said container is provided blow mold manufactured for said supply chain container conversion.

28) (Previously Presented) A supply chain method of claim 14 wherein said container is provided blow fill seal manufactured for said supply chain container conversion.

29) (Previously Presented) A supply chain method of claim 18 wherein said container is provided blow mold manufactured for said supply chain container conversion.

30) (Previously Presented) A supply chain method of claim 18 wherein said container is provided blow fill seal manufactured for said supply chain container conversion.